In the High Court of Punjab and Haryana, Chandigarh

CWP No. 16484 of 2006

Date of Decision: October 17, 2006

Smt. Sunita

…Petitioner

Versus

State of Haryana and others

…Respondents

CORAM: HON'BLE MR. JUSTICE M.M. KUMAR
HON'BLE MR. JUSTICE M.M.S. BEDI

PRESENT: Mr. R.S. Tacoria, Advocate,
for the petitioner.

JUDGMENT

M.M. KUMAR, J. (Oral)

The petitioner is aggrieved against the transfer order dated 27.9.2006, cancelling the earlier order of her transfer dated 31.8.2006 (P-2). The grievance of the petitioner is that the policy instructions dated 12.4.2006 (P-1) clearly contemplates that those who have not done their mandatory requisite rural service either on the first appointment or on promotion, they are to be transferred so as to comply with the statutory rules and those who have done five years of continuous urban service ignoring the minor interruption i.e. upto six months maximum may also be transferred to give rural service for

at least two years. Learned counsel has pointed out that respondent No. 3 has already rendered nine years service in the present school at Jhajjar which falls within the meaning of urban area and, therefore, her transfer is violative of the policy instructions dated 12.4.2006 (P-1).

Having heard the learned counsel, we find that the petitioner has approached this Court without bringing to the notice of the respondents violation of the policy instructions as has been disclosed in the instant petition. Therefore, we relegate the petitioner to the remedy of filing a detailed representation by making grievance against the cancellation of her transfer order and by bringing to the notice of the respondents violation of the policy instructions. The representation may be filed by the petitioner within a period of two weeks under a Registered A.D. cover and the same shall be decided by respondent No. 2 within a period of four weeks from the date of its receipt.

The writ petition stands disposed of in the above terms.

Copy of the order be given dasti on payment of usual charges.

(M.M. KUMAR)
JUDGE

(M.M.S. BEDI)
JUDGE

October 17, 2006
Pkapoor